

**REMARKS**

In response to the election of species requirement dated September 21, 2006, Applicant provisionally elects, with traverse, the specie: a cholesterol recognition/interaction amino acid consensus sequence having  $Z-(X)_{0-5}-Y-(X)_{0-5}-Q$  (SEQ ID NO:26), wherein Z is leucine, Y is tyrosine, Q is arginine, and each X is independently 1 to 3 amino acids. Applicant believes the elected specie reads on claims 1-8 and 20. Reconsideration and withdrawal of the election of species in view of the remarks below is respectfully requested.

The requirement to elect a species from  $Z-(X)_{0-5}-Y-(X)_{0-5}-Q$  (SEQ ID NO:26), wherein Z is a neutral hydrophobic amino acid, Y is a neutral polar amino acid, Q is a basic amino acid and X is any amino acid, is traversed on the basis that the disclosed species have a disclosed relationship. That is, all the species fall within the scope of SEQ ID NO:26, i.e., they are cholesterol recognition/interaction amino acid sequences and they all have a structural relationship.

Thus, the election of species requirement is properly traversed. Accordingly, reconsideration and withdrawal of the election of species requirement is respectfully requested.

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Serial Number: 09/623,922

Filing Date: August 31, 2001

Title: CHOLESTEROL RECOGNITION SEQUENCE

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Dkt: 1941.017US1

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

October 18, 2006

By

Janet E Embretson

Reg. No. 39,665

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18 day of October, 2006.

Name

John D. Gustafson - Wraethell

Signature

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